

Measure HR1701Amendment No. 1m

Agreed To?	YES	No	Wdm
		X	
Voice Vte	Yeas	Nays	
X			

Amendment Offered by Ms. Waters**To The Amendment in the Nature of a Substitute****Offered by Mr. Jones and Mr. Maloney**

Page 23, line 21, strike "1015" and insert "1012, 1015,"

Page 25 strike line 4 and all that follows through line 8 and insert the following:

1 “(a) INDIVIDUAL CASES WITH ACTUAL DAMAGES.—
2 Any merchant who fails to comply with any requirements
3 imposed under section 1009 or 1010 with respect to any
4 consumer who suffers actual damage from the violation
5 shall be liable to such consumer—

6 “(1) any actual damages sustained by the con-
7 sumer as a result of the failure; and

8 “(2) such amount as the court may allow, ex-
9 cept that the liability under this subparagraph shall
10 not be less than \$250.

11 “(b) PATTERN OR PRACTICE OF VIOLATIONS.—If a
12 merchant engages in a pattern or practice of violating any
13 requirement imposed under section 1009 or 1010, the

1 Federal Trade Commission or an appropriate State attorney
2 general, in accordance with section 1016, may initiate
3 an action to enforce sanctions against the merchant,
4 including—

5 “(1) an order to cease and desist from such
6 practices; and

7 “(2) a civil money penalty of such amount as
8 the court may impose, based on such factors as the
9 court may determine to be appropriate.

